

**Draft Summary of the Environmental Work Group Meeting
Oroville Facilities Relicensing (FERC Project No. 2100)
April 18, 2001**

The Department of Water Resources (DWR) hosted the Environmental Work Group meeting on April 18, 2001 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary of the discussion for information purposes for interested parties who could not attend the meeting.

Introduction

Attendees were welcomed to the Environmental Work Group meeting. The meeting objectives were discussed. The Environmental Work Group Meeting agenda and list of meeting attendees and their affiliations are appended to this summary as Attachments 1 and 2, respectively. Flip chart notes taken during the meeting are included as Attachment 3.

Action Items – March 20, 2001 Environmental Work Group Meeting

A summary of the March 20, 2001 Environmental Work Group meeting is posted on the project web site. The Facilitator reviewed the status of action items from the March 20, Environmental Work Group meeting as follows

- Action Item #E17:** Fish & Wildlife Service presentation to the Environmental Work Group on ESA Species and process issues.
- Status: Michael Morse of the FWS explained that there is a pending interagency meeting to discuss ESA issues and the relicensing process within the next two weeks. A presentation will be made to the Environmental Work Group after that meeting. An update on ESA consultation on existing State Water Project operations is included in this agenda.
- Action Item #E18:** Provide web sites for electronic copies or hard copies of biological opinions and biological assessments relevant to the FERC process to the document repository.
- Status: DWR is putting applicable links on the project web site. FERC's web site is being utilized as a database for this process. DWR and the consulting team will identify sample BOs and BAs with similar issues to those at Oroville.
- Action Item #E19:** Consulting team will revise issue statements based on comments received and reference each statement to the full list of identified issues, included as appendix in the scoping document.
- Status: A discussion of the revised issue statements is included in the agenda.
- Action Item #E20:** Start subject line for all project-related e-mails with "Oroville Relicensing".
- Status: Initiated. On-going.
- Action Item #E21:** Distribute documents for review to appropriate Work Group participants 7 to 10 days prior to the meeting.
- Status: Initiated. On-going goal.
- Action Item #E22:** DWR to draft a description of how the Environmental and Engineering and Operations Work Groups will divide the responsibilities for the geomorphology and hydrologic issues, modeling efforts, and general issue tracking procedures.
- Status: Steve Ford talked with Ralph Torres and is drafting the description similar to that discussed at the last Environmental Work Group meeting. The completed draft will be ready for the Environmental Work Group's review at their next meeting. The Engineering and Operations Work Group will also be reviewing the draft language.
- Wayne Dyok of the consulting team reviewed the list of issues from the Engineering and Operations (E&O) Work Group, and explained their relationship to environmental issues. He outlined how real time modeling will be useful when evaluating environmental issues. He added that the E&O Work Group would take

the lead for developing models, working closely with the Environmental Work Group. He added that environmental input to models could be manipulated to reflect different temperature regimes, downstream flooding, ramping rates, substrate scour and mobilization of sediment downstream, and reservoir sedimentation rates.

The group asked if operational changes were being considered to satisfy potential increases in energy needs. Rick Ramirez mentioned that DWR was looking at the possibility but no new operational regimens had been established.

Follow-up on Action Item – Dry Year Studies

Steve Ford reported that the Field Division is considering taking advantage of the low water situation to do some work at Thermalito, which will increase flow to the low-flow area. This work could include depth and velocity transects in the lower backwater channel. DWR may check stranding potential when flows are increased to meet habitat (temperature) requirements. A work plan is being developed and should be done within a week.

Endangered Species Act (ESA) Consultation Update

Mike Morse of the US Fish and Wildlife Service (FWS) updated the Environmental Work Group on ESA consultations regarding relicensing the Oroville Facilities. He reported that DWR, FWS, National Marine Fisheries Service (NMFS), and Department of Fish & Game (DFG) would meet next week to discuss their approach to the technical aspects of implementing ESA and how it relates to relicensing the Oroville Facilities. The agencies will update the Environmental Work Group on their progress at the next meeting.

Steve Ford indicated that for current operations, NMFS' Sacramento staff has finished its Biological Opinion and it should be approved by the Long Beach staff and out in about six weeks. Steve added that DFG, FWS and NMFS have been meeting to consider revisions to the OCAP on both State and Federal projects. The meetings include a comprehensive consultation to identify what should be included in modeling and how to evaluate non-modeled issues. The agencies are still considering how this fits with the relicensing process. He added that there have been two meetings, however the agencies are still several months from developing a proposal.

Tribal Activities in the FERC Process

Shirley Prusia from Mooretown Rancheria addressed the Environmental Work Group regarding tribal interests related to the relicensing process. She described a history of broken treaties between Native Americans and the US Government. She explained that tribes are considered sovereign countries and have special status by law in the relicensing process. She added that when Oroville Dam was built, much culturally significant tribal land was inundated. Unlike European or Asian artifacts and remains that were moved from the reservoir site and re-interred, Native American remains and artifacts were bagged and are still stored in Sacramento. Shirley stressed tribal feelings about the land in general, and specifically about the preservation of sacred sites. She informed the group that local tribes want this process to help preserve and protect existing cultural resources in the project area, and to return artifacts and remains that were removed when the dam was built.

FERC Approach to Cultural Resources

Frank Winchell from FERC briefly outlined the Commission's policies and approach to relicensing with special emphasis on Cultural and Environmental Resources. He stated that the Cultural Resources Work Group would help develop a Cultural Resources Management Plan (CRMP) that would provide for surveys and evaluation of cultural resources, including traditional cultural properties, and define the Area of Potential Effect (APE). The CRMP would also include protocols for treatment and repatriation of human remains and other artifacts.

Frank stated that the Cultural Resources Work Group and the Environmental Work Group would work together to determine if areas that may be environmentally sensitive, or that have been identified as areas for environmental mitigation, might also be culturally significant.

- The Environmental Work Group discussed culturally significant sites on the river below the dam that are occasionally flooded. Frank added that if they were identified as significant sites they would be addressed in the CRMP. He emphasized that actions outlined in the CRMP include the protection of sensitive sites whose locations should be kept secret.

Task Force Report – Revisions to Issue Statements

Wayne Dyok reported that the Environmental Task Force had reviewed and provided comment on the list of revised Issue Statements from the previous Environmental Work Group meeting. The revised Issue Statements, including new Issue Statements developed for Geology, Soils and Geomorphic Processes were distributed to the Environmental Work Group and are appended to this summary as Attachment 4. The Environmental Work Group reviewed the list and provided clarification on specific statements. A complete list of revisions or additions to Issue Statements is included in the Flip-Chart notes as Attachment 3.

The Environmental Work Group agreed to recommend the revised Issue Statements to the Plenary Group for review and incorporation into Scoping Document I. The consultants will revise the Issue Statements and re-check the references. Redline/strikeout versions of Fisheries, Water Quality, Terrestrial Resources, and Geology, Soils and Geomorphic Processes will be distributed to the Environmental Task Force and then to the full Environmental Work Group.

Issue Sheet Development

Wayne reported that the Task Force had met and discussed Issue Sheet development. A participant suggested that the Task Force develop draft Issue Sheets, based on the revised Issue Statements provided by the Environmental Work Group. The Environmental Work Group agreed and requested that the draft Issue Sheets be presented to the Environmental Work Group for review and comment at their next meeting. Several draft Issue Sheets were distributed to the Environmental Work Group and are appended to this summary as Attachment 5.

The Environmental Work Group discussed the challenge of working on multiple tasks and expressed some uncertainty about how the process of identifying issues for inclusion in the NEPA scoping document relates to the preparation of Issue Sheets. There is some confusion with terminology and a desire to have some clarification for the participants that are not professional planners or agency staff. Several members expressed frustration with the process and suggested that the complexities of the process make it difficult for community members to participate.

The participants recognized that the relicensing schedule required several parallel tracks of activity and discussed several potential methods for making the process more engaging. Steve Ford suggested that a process graphic be developed that would more clearly articulate process objectives. He added that it would be good to graphically show what we have accomplished, where we are now, and where we are going in the process. The consultant staff will develop a process graphic.

The participants discussed Issue Sheet development and the identification of resource goals. Several participants suggested that it was difficult to identify and prioritize resource goals without additional information. Steve Ford suggested that it might be useful to identify the scope of the issue and then target specific resource goals. The Environmental Work Group agreed to create a small Task Force (Mike Morse, Gary Taylor, Wayne Dyok, and Steve Ford) to identify a process to get from Issue Statement identification to study plans. The group agreed that providing a clear explanation of the process would help people participate more effectively.

Homework

Environmental Work Group members will review the revised Issue Statements and other documents provided at the meeting and confirm that issues have been accurately referenced in each Issue Statement.

Next Meeting

The Environmental Work Group agreed to meet again on May 23, 2001 from 9:30 a.m. to 3:00 p.m. Meeting location to be announced.

Agreements Made

1. The Environmental Work Group agreed to set up a small Task Force to articulate process options and report back to the Environmental Work Group. Gary Taylor, Mike Morse, Wayne Dyok, and Steve Ford agreed to be on the Task Force.
2. The Environmental Work Group agreed to recommend the revised Issue Statements to the Plenary Group for inclusion in Scoping Document I.
3. The Environmental Work Group agreed to meet again on May 23, 2001 from 9:30 a.m. to 3:00 p.m. (location to be announced).

Action Items

The following list of action items identified by the Environmental Work Group includes a description of the action, the participant responsible for the action, and item status.

Action Item #E23: Cross-check Issue Statements against issues list (including issue numbers) to confirm that issues are accurately identified.

Responsible: Environmental Work Group & Consulting Team

Due Date: May 16, 2001

Action Item #E24: Provide strikeout versions of documents to the Task Force and Work Group for comparison.

Responsible: Consulting Team

Due Date: May 1, 2001 and May 16, 2001

Action Item #E25: Provide Engineering and Operations Issue Statements to the Environmental Work Group.

Responsible: DWR Staff

Due Date: May 16, 2001

Action Item #E26: Provide original Issue Statements and consolidated comments to the Environmental Work Group to track original submittal with revised text.

Responsible: Consulting Team

Due Date: May 16, 2001

Action Item #E27: Develop Process Graphic – “Where have we been, where are we now, where are we going, how do we get there?”.

Responsible: Consulting Team

Due Date: May 16, 2001

Action Item #E28: Describe process for Issue Sheet development

Responsible: Task Force 2

Due Date: May 23, 2001

Action Item #E29: Presentation of Endangered Species Act Issues and Approach

Responsible: Michael Morse, USFWS

Due Date: May 23, 2001

Action Item #E30: Identify projects with Biological Opinions and Biological Assessments similar to issues associated with Oroville Facilities as examples.

Responsible: Consulting Staff

Due Date: May 16, 2001

Carry over Action Item:

Action Item #E22: DWR to author a Joint Task Force proposal between the Environmental and Engineering and Operations Work Groups regarding disposition of geomorphology and hydrologic issues, integration with modeling efforts, and general issue tracking procedures.

Responsible: DWR

Due Date: May 23, 2001